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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/773,193

01/31/2001

Anand Naga Babu

AUS9-2000-0697-US1

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07/27/2006

IBM CORPORATION
INTELLECTUAL PROPERTY LAW
11400 BURNET ROAD
AUSTIN, TX 78758

EXAMINER

GOLD, AVI M

ART UNIT

PAPER NUMBER

2157

DATE MAILED: 07/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/773,193

Applicant(s)

BABU ET AL.

Examiner

Avi Gold

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to the appeal filed on May 2, 2006. Claims 1-36 are pending.

Response to Amendment

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Dunn et al., U.S. Patent No. 5,659,596.

Dunn teaches the invention as claimed including a system for location of communication end users (see abstract).

Regarding claims 1, 13, and 25, Dunn teaches a method, information handling system, and computer-usable medium, for handling location information, comprising:
acquiring location data regarding a user from a plurality of location sources (col. 22, lines 27-30, Dunn discloses location data acquired from local service offices (LSOs));

creating a collection of said location data regarding said user (col. 29, lines 43-47, Dunn discloses multiple prior locations reported and collected);

ranking items in said collection according to expected utility (col. 29, lines 39-57, Dunn discloses sorting through location data and ranking based on time-stamps); and updating said location data continuously (col. 22, lines 27-30, Dunn discloses location data continually updated).

Regarding claims 2, 8, 14, 20, 26, and 32, Dunn teaches the method, information handling system, and computer-usable medium of claims 1, 7, 13, 19, 25, and 31, further comprising;

filtering data in said collection to remove misleading data (col. 29, lines 47-57, Dunn discloses some location data results being discarded to waste management).

Regarding claims 3, 9, 15, 21, 27, and 33, Dunn teaches the method, information handling system, and computer-usable medium of claims 1, 7, 13, 19, 25, and 31, further comprising:

consolidating data in said collection to determine the most likely location of said user (col. 29, lines 39-57).

Regarding claims 4, 16, and 28, Dunn teaches the method, information handling system, and computer-usable medium of claims 1, 13, and 25, wherein:

said acquiring further comprises acquiring location data regarding more than one user (col. 22, lines 27-30, col. 16, lines 33-37, Dunn discloses the location of subscriber units and their users);

said creating further comprises creating collections of said location data regarding more than one user, organized by user (col. 29, lines 43-47, col. 16, lines 33-37); and

said ranking further comprises ranking items in said collections regarding more than one user, according to expected utility (col. 29, lines 39-57, col. 16, lines 33-37).

Regarding claims 5, 11, 17, 23, 29, and 35, Dunn teaches the method, information handling system, and computer-usable medium of claims 4, 10, 16, 22, 28, and 34, further comprising:

filtering data in said collections to remove misleading data (col. 29, lines 47-57).

Regarding claim 6, 12, 18, 24, 30, and 36, Dunn teaches the method, information handling system, and computer-usable medium of claims 4, 10, 16, 22, 28, and 34, further comprising:

consolidating data in said collections to determine the most likely locations of said users (col. 29, lines 39-57).

Regarding claims 7, 19, and 31, Dunn teaches a method, information handling system, and computer-usable medium for handling location information, comprising:

ranking items in a collection of location data regarding a user, according to expected utility (col. 29, lines 39-57); and

updating said location data continuously (col. 22, lines 27-30).

Regarding claims 10, 22, and 34, Dunn teaches the method, information handling system, and computer-usable medium of claims 7, 19, and 31, wherein:

said ranking further comprises ranking items in collections of location data regarding more than one user, according to expected utility (col. 29, lines 39-57, col. 16, lines 33-37).

Response to Arguments

3. In view of the appeal brief filed on May 2, 2006, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth above.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,684,250 to Anderson et al.

U.S. Pat. No. 6,091,959 to Souissi et al.

U.S. Pat. No. 5,878,126 to Velamuri et al.

U.S. Pat. No. 6,456,931 to Polidi et al.

U.S. Pat. No. 6,477,387 to Jackson et al.

U.S. Pat. No. 5,659,596 to Dunn et al.

U.S. Pat. No. 6,665,715 to Hour

U.S. Pat. No. 6,668,173 to Greene

U.S. Pat. No. 5,742,233 to Hoffman et al.

U.S. Pat. No. 6,747,675 to Abbott et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Avi Gold whose telephone number is 571-272-4002.

The examiner can normally be reached on M-F 8:00-5:30 (1st Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Avi Gold

Patent Examiner

Art Unit 2157

AMG


ABDULLAH SALAS
PRIMARY EXAMINER